

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BECKLEY**

HILMA STOVER,  
*On behalf of herself and a class  
of similarly situated persons,*

Plaintiff,

v.

FLUENT HOME, LLC, *and*  
THE BANK OF MISSOURI;  
ATLANTICUS SERVICES CORP.;  
FORTIVA FINANCIAL, LLC

Defendants.

CIVIL ACTION NO. 5:21-cv-00191

**THE BANK OF MISSOURI, ATLANTICUS SERVICES CORPORATION, AND  
FORTIVA FINANCIAL, LLC’S MOTION TO STAY**

Defendants The Bank of Missouri, Atlanticus Services Corporation, and Fortiva Financial, LLC (collectively “Lending Defendants”) move this Court for an Order staying this action pending resolution of their appeal to the United States Court of Appeals for the Fourth Circuit of this Court’s Memorandum Opinion and Order denying the Lending Defendants’ Motion to Compel Arbitration and Dismiss First Amended Class Action Complaint (ECF 81), as set forth in detail in the accompanying memorandum.

WHEREFORE, the Lending Defendants respectfully request that this Court enter an order staying proceedings pending resolution of the Lending Defendants’ appeal to the Fourth Circuit.

Dated: March 29, 2023

Respectfully submitted

/s/ Carrie Goodwin Fenwick

Carrie Goodwin Fenwick  
Goodwin & Goodwin, LLP  
300 Summers Street, Suite 1500  
Charleston, WV 25301  
304-346-7000  
cgf@goodwingoodwin.com

**CERTIFICATE OF SERVICE**

I hereby certify that on March 29, 2023, I caused to be filed a copy of the foregoing with the Clerk of the Court using the Electronic Case Filing (ECF) system, which will send a notice to all attorneys who have entered an appearance in this matter.

/s/ Carrie Goodwin Fenwick  
Carrie Goodwin Fenwick